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Attorney for Defendant  
ANDY DUNAYCZAN

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

CVPARTNERS, INC., a California  
corporation,

Plaintiff,

v.

JEANMARIE BOBEN, an individual;  
TYLER HUBBS, an individual; MATT  
HINDE, an individual; and PATRICIA  
REDINGTON, an individual; ANDY  
DUNAYCZAN; and DOES 1 to 15,

Defendants.

No. CV 09 0689 SI

**STIPULATED REQUEST FOR DISMISSAL  
OF DEFENDANT ANDY DUNAYCZAN**

1 TO THE HONORABLE SUSAN ILLSTON AND THE CLERK OF THE UNITED  
2 STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA,

3 Pursuant to the Settlement Agreement with Mutual Releases ("Agreement") they  
4 entered into, Plaintiff CVPartners, Inc. and Defendant Andy Dunayczan stipulate to the  
5 dismissal of the above-entitled matter with prejudice provided:

6 (1) that the dismissal be conditioned on the terms of the Agreement;

7 (2) that each party will bear its own costs, expenses, and attorneys' fees; and,

8 (3) that the Court retain jurisdiction over the enforcement of the Agreement in the  
9 event legal action is required to enforce the terms of the Agreement, including entry of a  
10 Stipulated Judgment as required by the Agreement in the event of a default by  
11 Dunayczan.

12 Pursuant to that Agreement, the parties hereby request this Court to enter an  
13 order dismissing the case with prejudice consistent with the above conditions and as set  
14 forth in the below Order.

15 DATED: April 30, 2009

HANSON BRIDGETT MARCUS  
VLAHOS & RUDY, LLP

17  
18 By: /s/

19 SANDRA L. RAPPAPORT  
20 WALTER R. SCHNEIDER  
Attorneys for Plaintiff  
CVPARTNERS, INC.

21 DATED: April 29, 2009

TINGLEY PIONTKOWSKI LLP

22  
23 By: 1st Br PTK

24 BRUCE PIONTKOWSKI  
25 Attorneys for Defendant  
ANDY DUNAYCZAN

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1 I, Walter R. Schneider , hereby attest, pursuant to N.D. Cal. General Order No.  
2 45, that concurrence to the filing of this document has been obtained from the other  
3 signatory hereto.

4 By: /s/  
5 WALTER R. SCHNEIDER

6  
7 IT IS ORDERED THAT the above-entitled matter is hereby dismissed with  
8 prejudice. This dismissal is conditioned on the terms of the parties' Settlement  
9 Agreement with Mutual Releases. Each party will bear its own costs, expenses, and  
10 attorneys' fees.

11 The Court hereby retains jurisdiction over the enforcement of the parties'  
12 Settlement Agreement with Mutual Releases in the event legal action is required to  
13 enforce its terms, including entry of a Stipulated Judgment as required by the Agreement  
14 in the event of a default by Dunayczan.

15 DATED: April \_\_\_\_\_, 2009

16   
17 HONORABLE SUSAN ILLSTON